

U.S. Patent Application Serial No. 10/784,263
Amendment filed March 26, 2008
Reply to OA dated December 28, 2007

REMARKS:

Claims 1, 2, and 4-8 are pending. Claims 5-8 are currently being considered, of which claim 5 has been amended herein. Claims 1, 2, and 4 have been withdrawn from consideration.

A. The Examiner has rejected claims 5-8 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,922,040 (Prabhakaran '040) in view of U.S. Patent No. 5,623,260 (Jones '260).

Applicants respectfully traverse this rejection, for the following reasons.

Prabhakaran '040 relates to the management of a fleet of vehicles. "[V]ehicle position data are received and transmitted to a fleet of vehicles (e.g., couriers, etc.) through the mobile information center" (Abstract).

Jones '260 relates to an advance notification system and method utilizing passenger-definable notification time period.

In the subject application, when a user selects a "notifying point," that user can select a location (latitude/longitude) of a vehicle. The user will be notified when the vehicle arrives at that particular location. This is discussed in the subject application here, for example: page 20, lines 6-16; page 22, lines 8-15; page 23, lines 15-19; and Figure 9.

Prabhakaran '040 and **Jones '260**, alone or in combination, fail to describe, teach, or suggest the following features set forth in claim 5, as amended: “notifying point setting means configured to set a notifying point on said running route that the user desires to be notified of arrival of the bus, said notifying point corresponding to a location; and notifying means configured to notify an arrival at said notifying point in response to a notifying command transmitted through a communication line including the internet, and on the side of the management center,” in combination with the other claimed features.

Accordingly, Applicants respectfully submit that this rejection of claim 5 should be withdrawn. It is submitted that this rejection of claims 6-8 should be withdrawn by virtue of their dependency.

B. Claim 5 (System Claim)

The Examiner has suggested that claim 5 is an apparatus claim, and has suggested that claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function (Office Action dated December 28, 2007, page 9).

However, claim 5 is not merely a simple apparatus claim. Claim 5 claims a system that sets forth features of structure, function, and/or means. Therefore, features relating to structure, function,

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and/or means, as set forth in claim 5, should be considered by the Examiner. All those types of features can serve to differentiate the features of claim 5 from cited art references.

It is respectfully submitted that the Examiner should not disregard any features of structure, function, and/or means set forth in claim 5. The Examiner should consider all features in claim 5.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case. In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due now or in the future with respect to this application, to Deposit Account No. 01-2340.

Respectfully submitted,
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